THE HON'BLE SRI JUSTICE V. ESWARAIAH

W.P.No.6436 of 2007

Dated:30-03-2007

Between:-

Koduru Pitcheswara Rao

..Petitioner

And

The Vijayawada Municipal Corporation,
Rep., by its Commissioner, Vijayawada.

..Respondents.

THE HON'BLE SRI JUSTICE V. ESWARAIAH

W.P.No.6436 of 2007

:O R D E R:

Heard the learned counsel for the petitioner and the learned standing counsel for the respondent.

It is the case of the petitioner that he has obtained permission from the respondent vide R.F.54/2006 G.7.B.A.No.01614/2006 dated 18-09-2006 for the construction of an apartment in respect of the land in an extent of 2097.77 square yards situated at Patamata village, Krishna district. It is stated that the petitioner has not at all deviated the said permission of the respondent while constructing the commercial complex consisting of the stilt, ground, first, second, third and fourth floors with RCC roof in N.T.S.No. 2008/1, R.A.No. Ward No. 32 A.D.No. 39-8-39 and it is in accordance with the permission granted under Sections 428 to 431 of Hyderabad Municipal Corporation Act. It is stated that without issuing any notice with regard to the alleged deviation or unauthorized/illegal construction, the subordinates of the respondent are coming and threatening to demolish certain structures.

I am not inclined to express any opinion on the merits of the case and whether the petitioner has made constructions strictly in accordance with the sanctioned plan or building rules and byelaws. However, if any demolition or removal is sought to be made, it is for the respondent to issue a notice pointing out the deviation of the permission, unauthorized constructions etc., and take action in accordance with law.

The writ petition is accordingly disposed of.. No costs.

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V. ESWARAIAH, J

Dated: 30-03-2007.
Pvks/*

Nb:- Furnish c.c. in two days.
B/o pvks.